

**CITY PLANNING COMMISSION
MINUTES
AUGUST 8, 2017**

1. **CALL TO ORDER** – Rew called the meeting to order at 6:00 P.M.
2. **ROLL CALL**
Members Present: Blackman, Holm, Holtz, Nelson, Rew, VanHouten and Wolf
Absent: Crawford, Danielsén, DeMasi and Milford
Vacancy: None
Staff: Brown, Garrett, Gibbons, Meeks and Wade
3. **ADOPTION OF AGENDA**
Motion by VanHouten, second by Holm to adopt the agenda as presented. Motion carried by unanimous voice vote.
4. **APPROVAL – MINUTES OF JULY 11, 2017 MEETING**
Motion by Holm, second by Holtz to adopt the agenda as presented. Motion carried by unanimous voice vote.
5. **PROOF OF PUBLICATION** – Brown
6. **REVIEW OF MEETING PROCEDURES** – Rew
7. **PUBLIC HEARINGS** - *(Refer to the taped recording of these proceedings for official verbatim minutes)*
 - A. CASE #ZC-17-003: Public hearing on the request of Council Bluffs Leased Housing Associates I LLLP, represented by Traci Custard of Ehrhart, Griffin & Associates, to rezone a portion of the SW¼ SW¼ of Section 10-74-44, City of Council Bluffs, Pottawattamie County, more particularly described as beginning at the southeast corner of SW¼ SW¼ of Section 10 thence North 90°00'00" West along the south line of said SW¼ SW¼ a distance of 390.15 feet, thence North 00°00'00" East, a distance of 145 feet m/l to the zoning division line as it existed in June of 2017; thence North 90°00'00" East along said zoning line a distance of 390.15 feet to the east line of said SW¼ SW¼ thence South 00°00'00" East along said east line a distance of 145 feet m/l to the point of beginning from A-2/Parks, Estates and Agricultural District to R-3/Low Density Multifamily Residential District. The Community Development Department has expanded the request to include rezoning the southern 145 feet of the property commonly known as 3209 Renner Drive from A-2/Parks, Estates and Agricultural District to R-3/Low Density Multifamily Residential District. Location: 3201 Renner Drive and 3209 Renner Drive.

The following member of the public spoke in favor of the request:
Terry Morrison, Ehrhart, Griffin & Associates, 3552 Farnam Street, Omaha, NE 68131 spoke on behalf of the request. Morrison stated the applicant owns a multi-family residential development on the subject property and proposes to rezone the southern portion of their property from A-2/Parks, Estates and Agricultural District to R-3/Low Density Multifamily Residential District for zoning consistency purposes. Morrison also stated the applicant proposes to replat their subject property as well as construct a new clubhouse building and improve the parking areas for their existing multi-family development in the near future. Morrison then clarified the proposed rezoning will not change the use of the subject property and then answered questions from the Commission regarding the request.

The following member of the public spoke in opposition of the request:

Mary Bartels, 3100 Wakeman Drive, Council Bluffs, IA 51501 stated she is opposed to the rezoning request due to crime, traffic and on-street parking issues within the Twin City neighborhood that are caused by the tenants living in the applicant's multi-family development.

Brown explained that the Community Development Department expanded the request to correct an unknown zoning boundary issues on an abutting property. Brown then answered questions about the location of the proposed rezoning areas and off-street parking requirements for the applicant's multi-family development from the Commission.

The Planning Commission members asked questions and discussed the request.

Motion by VanHouten, second by Holm to recommend approval to rezone the south 145 feet of the east 682.15 feet of the SW1/4 SW1/4 of Section 10-74-44 from A-2/Parks, Estates and Agricultural District to R-3/Low Density Multifamily Residential District and to find the requested rezoning to be consistent with the Bluffs Tomorrow: 2030 Plan (comprehensive plan), as per staff's recommendation.

VOTE: AYE – Blackman, Holm, Holtz, Nelson, Rew, VanHouten and Wolf. NAY – None.
ABSTAIN – None. ABSENT – Crawford, Danielsens, DeMasi and Milford. Motion carried.

- B. CASE #AN-17-001: Public hearing on the request of Gerald Torczon, on behalf of T S Development, LLC, for voluntary annexation of 26.62 acres of land located in part of the SW1/4 NW1/4 of Section 4-74-43 and part of the SE1/4 NE1/4 of Section 5-74-43, Pottawattamie County, Iowa, being more particularly described as being as commencing at the Southwest corner of said NW 1/4 of Section 4, said point also being the Southeast corner of said NE1/4 of Section 5; thence N1°06'10"E (assumed bearing), along the West line of said NW 1/4 of Section 4, said line also being the East line of said NE1/4 of Section 5, a distance of 53.00 feet, to the point of beginning; thence N88°28'13"W, a distance of 314.19 feet; thence N01°43'41"E, a distance of 747.03 feet; thence S88°28'13"E, a distance of 306.04 feet, to a point on said East line of the NE1/4 of Section 5, said line also being said West line of the NW1/4 of Section 4; thence S88°15'01"E, a distance of 1294.46 feet, to the West right of way line of Franklin Avenue; thence S01°43'41"W, along said West right of way line of Franklin Avenue, a distance of 747.00 feet; thence N88°15'01"W, a distance of 1086.30 feet; thence N01°06'10"E, along the East line of the property at 20006 Greenview Road, a distance of 180.01 feet; thence N88°15'02"W, along the North line of said property at 20006 Greenview Road a distance of 200.01 feet, to a point on said East line of the NW1/4 of Section 4, said line also being said West line of the NE1/4 of Section 5; thence S01°06'10"W along the West line of said property at 20006 Greenview Road, said line also being said West line of the NW 1/4 of Section 4, said line also being said East line of the NE 1/4 of Section 5, a distance of 180.01 feet, to said point of beginning. Location: Northwest corner of Greenview Road and Franklin Avenue intersection.

VanHouten abstained from the request.

The following member of the public spoke in favor of the request:

Charles Huddleston, Schemmer Associates, 928 Valley View Village, Suite 12, Council Bluffs, IA 51503 spoke on behalf of the request. Huddleston then explained that the applicant requested the proposed annexation in order to develop a new mixed commercial/residential project on the subject property.

No one spoke in opposition of the request.

Brown clarified that the applicant is withholding a twenty foot-wide strip of land along Greenview Road from the annexation in order to not create an island of County jurisdiction within the City limits. Brown then explained to the Commission the State of Iowa's required procedures for annexing territory. Brown then responded to questions from the Commission about storm water management and traffic impacts for the proposed mixed-use development.

No one from the public spoke in opposition of the request.

The Planning Commission members asked questions and discussed the request.

Motion Holm, second by Nelson to recommend approval of the proposed voluntary annexation of 26.62 acres (more/less) of property legally described in Attachment 'A'. The City Planning Commission finds the following:

1. This annexation is consistent with the voluntary annexation procedure set forth in the Chapter 368 of the Iowa Code.
2. The area proposed for annexation adjoins the City's corporate boundary and reduces the amount of property located within the area that is not currently located within the City.
3. The proposed annexation will not create an island of County land surrounded by the City or restrict potential future annexation in any direction.
4. The proposed annexation creates the most uniform boundary possible under the current Iowa state laws governing the annexation of property.
5. City services will not be adversely affected if the land is annexed.
6. The proposed annexation is consistent with the future land use map of the *Two-mile Limit Area Policy Agreement*.
7. The proposed annexation is in the best interest of the City.

VOTE: AYE – Blackman, Holm, Holtz, Nelson, Rew and Wolf. NAY – None.

ABSTAIN – VanHouten. ABSENT – Crawford, Danielsen, DeMasi and Milford. Motion carried.

8. OTHER BUSINESS (*Refer to the taped recording of these proceedings for the official verbatim minutes*)

A. North Lake Village Subdivision – Request for Extension

Deborah Petersen, 215 South Main Street, Council Bluffs, IA 51501, appeared on behalf of the applicant and explained to the Commission the reason for the fourth extension of time request for North Lake Village Subdivision. Petersen then requested the Commission approve a one-year extension of time for the North Lake Village Subdivision preliminary plan.

VanHouten abstained from the request.

Motion by Nelson, second by Holtz to approve an additional one-year extension for the North Lake Village Subdivision preliminary plan. The expiration date of the preliminary plan is August 12, 2018.

Motion carried by a unanimous voice vote.

- B. City Council update – Wade provided an update of City Council actions relative to recent planning cases.
- C. Other items of interest – None.

9. ADJOURNMENT – Rew adjourned the meeting at 6:30 P.M.

The recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Planning Commission. The recording of this proceeding is incorporated into these official minutes of this Commission meeting as if they were transcribed herein.